

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROBERT BARRITT,

Plaintiff,

v.

//

CIVIL ACTION NO. 1:07CV107
(Judge Keeley)

MAGISTRATE JAMES SEIBERT,

Defendant.

ORDER DENYING MOTION FOR WRIT OF MANDAMUS

On November 15, 2007, the pro se plaintiff, Robert Barritt, filed a "Motion Directed Directly to Judge Irene Keeley for Writ of Mandamus Against USDC Magistrate James Seibert to Compel Seibert to Obey Federal Rules of Civil Procedure & Perform His Legal Duties Pursuant to the Due Process and Equal Protection Clauses of the V, VI, & XIV Amendments to the US Constitution and Immediately Serve the Defendant in Civil Action Tort Tort Complaint Barritt v. Ney, 1:07CV00107-IMK-JES Whose Docketing Information Seibert Deliberately Falsified to Sabotage Filing" (dkt. no. 14). On November 16, 2007, the Judicial Council of the United States Court of Appeals for the Fourth Circuit denied the plaintiff's judicial complaint against Magistrate Judge Seibert.

Accordingly, the Court **DENIES** Barritt's motion for writ of mandamus as **MOOT**.

It is so **ORDERED**.

ORDER DENYING MOTION FOR WRIT OF MANDAMUS

The Clerk is directed to mail a copy of this Order to the pro
se plaintiff, certified mail, return receipt requested, and to
counsel of record.

Dated: November 20, 2007.

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE